

APR 10 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SANTOS MANUEL GARCIA-
MENDIVIL,

Defendant - Appellant.

No. 05-10512

D.C. No. CR-04-02219-1-RRC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, District Judge, Presiding

Submitted April 5, 2006**

Before: HAWKINS, McKEOWN and PAEZ, Circuit Judges.

Santos Manuel Garcia-Mendivil appeals from the district court's judgment imposing a 30-month sentence following his guilty-plea conviction for illegal

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

reentry after deportation in violation of 8 U.S.C. §1326(a), with a sentencing enhancement pursuant to § 1326(b).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Garcia-Mendivil has filed a brief stating that he finds no grounds for relief, along with a motion to withdraw as counsel of record. No pro se supplemental brief or answering brief has been filed.

Our examination of the brief and our independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 83 (1988), disclose no grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.